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December 22, 2021

Via ECF/CM

The Honorable George B. Daniels.
Daniel Patrick Moynihan United States
Courthouse
500 Pearl St.
New York, NY 10007

The Honorable Sarah Netburn
United States Magistrate Judge
Thurgood Marshall Courthouse
40 Foley Square, Room 430
New York, NY 10007

Re: *In Re September 11, 2001 Terrorist Attacks*, 03 md 1570 (GBD) (SN)
and *Ashton v. Al Qaeda Islamic Army et al.*, 02 cv 6977

Dear Judge Daniels and Judge Netburn,

On behalf of the *Ashton* Plaintiffs, we write pursuant to an earlier Order that Plaintiffs provide the Court with “any dates that are important to the resolution of [motions for partial default judgments] such as distributions from the U.S. Victims of State Sponsored Terrorism Fund.” ECF No. 7352; *see also* ECF 7371.

This week the *Ashton* Plaintiffs filed a motion for final judgment against the Taliban and Mohamed Omar for estates and corresponding immediate family members who obtained a liability default judgment against the Taliban on May 12, 2006. See ECF 7489-7491. Those motions set forth the procedural history of the *Ashton* Plaintiffs’ complaint allegations, service requirements, effectuation of service and default liability judgment as well as the straightforward basis for the damages amounts sought, which mirror this Court’s findings and orders concerning prior motions for damages judgments. *Id.*

As this Court knows, the U.S. government has identified approximately \$7 billion dollars in frozen assets at the Federal Reserve Bank of New York held for Da Afghanistan Bank and will be filing a Statement of Interest regarding those assets and their availability to satisfy judgments in certain terrorism cases by January 28, 2022. *See* ECF 7402

The *Ashton* Plaintiffs’ claims for damages are factually identical to those asserted by certain other 9/11 Families (all of whom are the estates of individuals killed in the 9/11 Terrorist Attacks or are the immediate family members of those victims) who have already served a writ of execution on the frozen money claimed by the Taliban. Accordingly, after obtaining a final judgment against the Taliban, the *Ashton* Plaintiffs intend to file and serve a writ of execution with respect to the Da Afghanistan Bank assets to protect their interests. As noted in our motion papers, we expect other Plaintiffs’ firms that have liability judgments against the Taliban to seek similar relief, including other *Ashton* co-counsel. To do so prior to the U.S. Government’s

statement of interest due date, we therefore respectfully request that this Court consider the *Ashton* Plaintiffs pending motion for final damages judgments on an expedited basis.

Respectfully,

KREINDLER & KREINDLER

/s/ Andrew J. Maloney, III, Esquire

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